

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE: § **CASE NO. 18-41363-13**
JERREL KENEMORE §
JADE ASHLEY KENEMORE §
DEBTORS. § **CHAPTER 13**

DEBTOR'S MOTION TO SEVER

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE SHOWN IN THE CERTIFICATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION.

IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING WITH APPROPRIATE NOTICE. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

COMES NOW, Jerrel Loyd Kenenmore and Jade Ashley Kenenmore (“Debtors”) herein, and file this Motion to Sever the joint administration of the Debtors’ bankruptcy and in support thereof would respectfully show the Court as follows:

JURISDICTION

The Bankruptcy Court has jurisdiction to determine this matter under 28 U.S.C. § 1334, 28 U.S.C. § 157 and 11 U.S.C. § 105. This is a core proceeding under 11 U.S.C. §157 (b).

FACTS

1. On April 2nd, 2018 Debtors filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code in the Northern District of Texas, Dallas Division, Case Number 18-41363-13
2. Subsequent to the filing of their Chapter 13 case, Debtors filed for divorce on November 7th, 2018, and the final decree was entered on January 8, 2019.
3. The last Schedules on file with the court include Debtor, Jerrel Kenemore's former employer and Joint Debtor's income. Since that time Debtor became unemployed, and Joint Debtor ceased contributing to the ch 13 plan.
4. A notice of conversion was filed due to debtor becoming unemployed with no assistance from his former spouse. An order converting this case to Ch 7 was entered on June 5, 2019.
5. Due to the divorce, Debtors are not communicating to each other. Debtor's counsel contacted the former Mrs. Kenemore to discuss the merits of the case and the benefit of a Ch 7 discharge. The Joint Debtor explicitly stated she wants nothing to do with the bankruptcy and will not agree to sign any documents. A copy of this motion is being served upon Joint Debtor and sent via email.
6. Debtor, Jerrel Kenemore appeared at his section 341 meeting of creditors on August 6, 2019, and it has been continued until September 10, 2019.
7. Debtor, Jerrel Kenemore requests that the case be severed, and the Joint Debtor, Jade Ashley Kenemore, to be dismissed from this bankruptcy upon severance.
8. Debtor would request that the original case number for the joint administration be retained for Mr. Kenemore upon the granting of this motion.

9. Concurrent with the filing of this motion and upon severance and dismissal of Joint Debtor, Jade Kenemore, schedules will be amended as necessary.

WHEREFORE, PREMISES CONSIDERED, the Debtor respectfully request that this Court sever the Debtors' joint bankruptcy and for such other relief to which the Debtors may justly be entitled.

Respectfully submitted,

SHUSTER LAW, PLLC

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ATTORNEY FOR THE DEBTORS

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing instrument has been served via electronic notice and/or regular first class mail to the parties on the attached Master Mailing Matrix (if any) on the 19th day of August, 2019.

DEBTOR:

Jerrel Loyd Kenemore
1817 Marble Cove Ln
Denton, TX 76210
jkenemore@gmail.com

JOINT DEBTOR (via email and US Mail)

Jade Ashley Kenemore
3201 Shore View Dr.
Highland Village, Texas 75077
jadekenemore@gmail.com

STANDING CHAPTER 13 TRUSTEE:

Pam Bassel
7001 Blvd 26
Suite 150
North Richland Hills, TX 76180

U.S. TRUSTEE

Rm. 976
1100 Commerce Street
Dallas, TX 75242

By: /s/ David Shuster
David Shuster